

**DENTISTRY EXAMINING BOARD
MINUTES
JANUARY 4, 2012**

PRESENT: Linda Bohacek, RDH; Mark Braden, DDS; Eileen Donohoo, RDH; John Grignon, DDS; Adriana Jaramillo (arrived at 8:33), DDS; Lyndsay Knoell, DDS; Sandra Linhart, RDH; Kirk Ritchie, DDS; William Stempski, DDS

STAFF: Berni Mattsson, Executive Director; Lydia Thompson, Legal Counsel; Karen Rude-Evans, Bureau Assistant; other DSPS staff

GUESTS: Mara Brooks, Steven Stoll and Mark Paget, WDA; Jennifer Kreider, WDHA; Lori Pelke, Midwest Dental; Lisa Davidson, WPHCA; Matt Crespin, CHAW; D. Schumacher, CVTC; B. DeGrasse, Renee Dischler, Megen Lube, Ashley Hagmann, Kelsey Lind, Susanna Mikkelsen, Wendy Dahleen, Cassandra Michels and Chelsea Frion, CVTC Students

CALL TO ORDER

Lyndsay Knoell, Chair, called the meeting to order at 8:30 a.m. A quorum of eight (8) members was confirmed.

PLEDGE OF ALLEGIANCE

The Board members, staff and guests rose and recited the Pledge of Allegiance

ADOPTION OF AGENDA

Amendments:

- Item F4b –USE OF DERMAL FILLERS AND BOTOX, insert additional information after page 32
- Item F4c – new item, SLEEP APNEA DRAFT STATEMENT, insert after page 32
- Item F5a – STATUS OF CURRENT PROJECT, insert additional information after page 32
- Item G3 – new item, PDMP UPDATE, presented by Chad Zadrazil
- Case Status Report – insert at the end of the agenda in closed session
- Updated Board Roster – for Board information only

MOTION: Linda Bohacek moved, seconded by John Grignon, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF NOVEMBER 2, 2011

MOTION: Linda Bohacek moved, seconded by John Grignon, to approve the minutes of November 2, 2011 as written. Motion carried unanimously.

BOARD COMMITTEE AND LIAISON APPOINTMENTS

Practice Questions: Board Officers (Lyndsay Knoell, John Grignon, Linda Bohacek) with legal counsel

Screening Panel: Lyndsay Knoell, Sandra Linhart

Legislative Liaison: Mark Braden

DOE Monitoring Liaison: William Stempksi

PAP Liaison: Kirk Ritchie

Credentialing Liaisons: John Grignon, Linda Bohacek

Office of Education and Examinations Liaison: Adriana Jaramillo, Eileen Donohoo

CPR Advisor: Sandra Linhart

Digest Advisor: Lyndsay Knoell

AADB: William Stempksi

The Board discussed appointing a liaison to the steering committees for the regional examinations. Lydia Thompson will research whether or not this may be a conflict of interest and will report back to the Board in March.

SECRETARY MATTERS

There was no report at this time.

EXECUTIVE DIRECTOR MATTERS

There was no report at this time.

BOARD DISCUSSION ITEMS

DIVISION OF ENFORCEMENT MATTERS

There were no issues at this time.

EDUCATION AND EXAMINATION MATTERS

Failure and Re-Examination Requirements Under S. DE 2.09

The Board discussed applicants who have failed a regional examination more than two times and the possible requirement of remedial education.

MOTION: Eileen Donohoo moved, seconded by William Stempski, to approve the Credentialing Liaisons to review the application when the applicant has failed a clinical and laboratory examination two times. Motion carried. Mark Braden opposed.

CREDENTIALING MATTERS

Review of Pharmacy Examining Board's Motion Document Identifying a Board Credentialing Liaison and Delegating Certain Credentialing Authority Duties

The Board briefly reviewed this document and will submit comments to legal counsel. This will be further discussed at the March meeting.

Application and Licensure By Endorsement Issues Related to NERB, CRDTS, Board Specialty Certification and Regional Examination

MOTION: Lyndsay Knoell moved, seconded by Linda Bohacek, to withdraw the previous motion to accept all regional examinations for dental applicants irrespective of the date the examination was taken. Motion carried unanimously.

MOTION: Lyndsay Knoell moved, seconded by John Grignon, to accept all regional examinations that currently have prior Board approval for applicants applying by endorsement irrespective of the date the examination was taken, with the exception of a Board Specialty Certification examination of the American Dental Association accredited specialty. Motion carried unanimously.

The Board discussed the acceptance of regional examinations for dental hygiene applicants. The Board made a motion at the July 2009 meeting to accept all regional exams for dental hygiene and will continue with this practice at this time. The Board has requested a comparison of the dental hygiene regional exams from the Office of Education and Examinations.

PRACTICE QUESTIONS/ISSUES

Review of Pharmacy Board's Practice Questions Policy

The Board reviewed the document from the Pharmacy Board regarding practice question policy.

MOTION: Lyndsay Knoell moved, seconded by Eileen Donohoo, to approve legal counsel to draft a Dentistry Examining Board practice question policy in convocation with the Board's appointed practice questions liaisons. Motion carried unanimously.

This document will be brought to a future meeting for the full Board's review.

Botox Use Scope Statement

The Board reviewed the current position statement on the use of dermal fillers and botox and determined that additional language should be inserted to clarify the Board's position.

MOTION: Lyndsay Knoell moved, seconded by Mark Braden, to revise the Board's position statement to read:

The use of dermal fillers and botox by a licensed dentist in the state of Wisconsin is allowable for functional, therapeutic, and aesthetic treatment purposes in accordance with the practice of dentistry as defined in s. 447.01 of the Wisconsin Statutes. It is expected that dentists will obtain appropriate training to be able to perform such services competently. Such training shall be provided by organizations or institutions recognized to provide continuing education courses in accordance with s. 447.056 of the Wisconsin Statutes.

Motion carried unanimously.

This information will be posted to the DSPS website.

Sleep Apnea

The Board reviewed the information regarding sleep apnea. Lydia Thompson will work with the sleep apnea workgroup to revise the statement and will bring this to the March meeting for further discussion.

LEGISLATION/ADMINISTRATIVE RULES

Review and Approve the Final Drafts and Legislative Reports for DE1; DE2, 6, 7; DE 2, 13

The Board reviewed the drafts and made some language changes.

MOTION: Lyndsay Knoell moved, seconded by Kirk Ritchie, to approve the final drafts and legislative report for the rules revisions to 11-033, 11-034 and 11-035. Motion carried unanimously.

LIAISON REPORTS

There were no reports.

SPEAKING ENGAGEMENT, TRAVEL AND PUBLIC RELATION REQUESTS

Eileen Donohoo will be attending the upcoming NERB meeting as an examiner.

Board members were reminded that Board approval is needed for any speaking engagement when representing the Board.

DISCUSSION OF TEETH WHITENING SERVICES AND COMPLAINTS

Berni Mattsson contacted DATCP regarding possible complaint records on teeth whitening. DATCP records are maintained by company name and not by the type of complaint; therefore, their records will not provide the information the Board had requested. The Board will not proceed with this issue at this time.

INFORMATIONAL ITEMS

Informational items were reviewed.

MOTION: Eileen Donohoo moved, seconded by Mark Braden, to authorize Lyndsay Knoell to work with legal counsel to draft a letter in support of AB 251. Motion carried unanimously.

Chad Zadrazil updated the Board on the PDMP project.

NEW BUSINESS

There was no new business.

PUBLIC COMMENTS

Mara Brooks, WDHA, addressed the Board regarding the requirements for dental licensure by endorsement.

CLOSED SESSION

MOTION: Lyndsay Knoell moved, seconded by John Grignon, to convene to Closed Session to deliberate on cases following hearing (Wis. Stat. § 19.85(1) (a)), to consider licensure or discipline (Wis. Stat. § 19.85(1) (b)), to consider individual histories or disciplinary data (Wis. Stat. § 19.85(1) (f)), and to confer with legal counsel (Wis. Stat. § 19.85(1) (g)). Roll call vote: Linda Bohacek-yes; Mark Braden-yes; Eileen Donohoo-yes; John Grignon-yes; Adriana Jaramillo-yes; Lyndsay Knoell-yes; Sandra Linhart-yes; Kirk Ritchie-yes; William Stempski-yes. Motion carried unanimously.

Open Session recessed at 10:39 a.m.

RECONVENE TO OPEN SESSION

MOTION: Lyndsay Knoell moved, seconded by John Grignon, to reconvene into open session. Motion carried unanimously.

The Board reconvened into open session at 1:22 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

CASE CLOSING

05 DEN 133 (W.K.L, DDS)

MOTION: Adriana Jaramillo moved, seconded by Mark Braden, to close case **05 DEN 133 against respondent W.K.L., DDS**, for compliance gained. Motion carried. Lyndsay Knoell, William Stempski, Kirk Ritchie and Eileen Donohoo were all excused during deliberation and abstained from voting.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

GREGORY E MACHULAK, DDS

10 DEN 032

MOTION: Adriana Jaramillo moved, seconded by Linda Bohacek, to adopt the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Gregory E. Machulak, DDS. Motion carried unanimously.

MATTHEW E RICHARDSON, DDS

10 DEN 127

MOTION: Adriana Jaramillo moved, seconded by John Grignon, to adopt the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Matthew E. Richardson, DDS. Motion carried. Lyndsay Knoell was excused during deliberation and abstained from voting.

EDWARD J MCGRATH, DDS

11 DEN 093

MOTION: Linda Bohacek moved, seconded by John Grignon, to adopt the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Edward J. McGrath, DDS. Motion carried unanimously.

ORDER FIXING COSTS

JACK ELDER, DDS
05 DEN 020

MOTION: Linda Bohacek moved, seconded by John Grignon, to adopt the Order Fixing Costs in the disciplinary proceedings against Jack Elder, DDS. Motion carried. Sandra Linhart was excused during deliberation and abstained from voting.

APPLICATION REVIEW

LINDA BRAUER, DDS

MOTION: Linda Bohacek moved, seconded by John Grignon, to require the applicant, Linda Brauer, DDS, to successfully complete the clinical portion of a regional exam or a proficiency evaluation/assessment from the Marquette University School of Dentistry. Motion carried unanimously.

ADMINISTRATIVE WARNINGS

MOTION: Linda Bohacek moved, seconded by Eileen Donohoo, to issue the administrative warning in case **10 DEN 024 against respondent A.A.T., DDS**. Motion carried unanimously.

MOTION: Adriana Jaramillo moved, seconded by John Grignon, to issue the administrative warning in case **11 DEN 063 against respondent T.T.T., DDS**. Motion carried unanimously.

CASE CLOSING(S)

MOTION: Mark Braden moved, seconded by John Grignon, to close case **11 DEN 082** for no violation. Motion carried unanimously.

OTHER BOARD BUSINESS

There was no other Board business to discuss.

ADJOURNMENT

MOTION: John Grignon moved, seconded by Kirk Ritchie, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:30 p.m.